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Security Council

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Report of the Security Council mission to Yemen, 27 January 2013

I. Introduction

1. In a letter dated 3 January 2013, the President of the Security Council informed the Secretary-General that the members of the Council had decided to send a mission to Yemen on 27 January. Mohammed Loulichki, Permanent Representative of Morocco to the United Nations, and Mark Lyall Grant, Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations, co-led the mission, which was composed as follows:[1]

Argentina	Mario Oyarzábal, Minister
Australia	Gary Francis Quinlan, Permanent Representative
Azerbaijan	Agshin Mehdiyev, Permanent Representative
China	Jiang Hua, First Secretary
France	Martin Briens, Deputy Permanent Representative
Guatemala	Gert Rosenthal, Permanent Representative
Luxembourg	Sylvie Lucas, Permanent Representative
Morocco	Mohammed Loulichki, Permanent Representative, mission co-leader, assisted by Abdellatif Erroja, Morocco mission expert
Pakistan	Raza Bashir Tarar, Deputy Permanent Representative
Republic of Korea	Shin Dong-ik, Deputy Permanent Representative
Russian Federation	Alexander A. Pankin, First Deputy Permanent Representative
Rwanda	Olivier Nduhungirehe, Deputy Permanent Representative

[1] The United States of America was represented by its Ambassador to Yemen, Gerald Feierstein.

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Togo	Kodjo Menan, Permanent Representative
United Kingdom of Great Britain and Northern Ireland	Mark Lyall Grant, Permanent Representative, mission co-leader, assisted by Simon Day, United Kingdom mission expert

2. The primary purpose of the mission, as set out in the terms of reference, was to reaffirm the continued support of the Security Council for the ongoing political transition process in Yemen, in accordance with the Gulf Cooperation Council (GCC) Initiative and Implementation Mechanism leading towards elections in February 2014. The mission also sought to assess the implementation of relevant Security Council resolutions, in particular resolution 2051 (2012), and review the progress made by the Government of Yemen towards launching the National Dialogue Conference, restructuring the security and armed forces and addressing the economic, as well as humanitarian, situation; consider the security situation, including the ongoing work of the Government of Yemen to combat Al-Qaida in the Arabian Peninsula and to carry out security sector reforms; highlight the Security Council's continued concern about those hindering or interfering in the transition, noting that resolution 2051 (2012) allows for the imposition of sanctions on spoilers; assess progress made towards activating pledges made in Riyadh on 4 September 2012 and at the Friends of Yemen Ministerial Meeting in New York on 27 September 2012 and reiterate the importance of immediate donor coordination and funding in order to alleviate the critical humanitarian situation in Yemen; and express strong support for the role of the international community in implementing the GCC Initiative, including the five permanent members of the Security Council, the Gulf Cooperation Council, the representative of the European Union and the Secretary-General's Special Adviser, as well as his good offices in Yemen.

3. The Security Council mission, the first Council visit to Yemen and the first to the region in five years, was conducted in support of the implementation of the GCC Initiative and Implementation Mechanism, signed in Riyadh on 23 November 2011 in accordance with resolutions 2014 (2011) and 2051 (2012). The terms of reference of the mission, which were agreed on 14 January 2013, and its programme of work are contained in annexes I and II to the present report.

4. The mission left New York on 25 January and returned on 28 January. It visited Yemen on 27 January and met in Sana'a with the President of Yemen, Abd Rabbo Mansour Hadi, the Prime Minister, Mohammed Basindwah, and his Cabinet, the members of the Preparatory Committee for the National Dialogue Conference, including its Chairman, Abdul Karim al-Eryani, and representatives of political parties, non-governmental organizations and civil society. The mission also met with the Secretary-General of the Gulf Cooperation Council, Abdullatif bin Rashid al-Zayani, together with the representatives of the Riyadh agreement guarantors and witnesses (the G10, a group comprising China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland, the United States, GCC countries and the European Union). During the mission, the representatives of the Security Council were also briefed by the Special Adviser to the Secretary-General on Yemen, Jamal Benomar, the United Nations Resident Coordinator in Yemen, Ismail Ould Cheikh Ahmed, and members of the United Nations country team.

II. Key issues

Status of the political transition process

5. The mission recalled that, on 23 November 2011, the then President, Ali Abdullah Saleh, the ruling General People's Congress and the opposition Joint Meeting Parties signed the GCC Initiative and Implementation Mechanism in Riyadh for a transfer of power from the President to the Vice-President and a two-year transition period. The agreement was the result of face-to-face negotiations facilitated by the Special Adviser to the Secretary-General, working closely with the members of the Security Council, the Gulf Cooperation Council and other international partners. The agreement sets out two phases. The first phase provides for the formation of a Government of National Unity and early presidential elections within 90 days of the signing of the agreement. The second phase (February 2012-February 2014) includes the convening of a National Dialogue Conference feeding into a constitution-making process followed by a referendum and culminating in general elections in February 2014.

6. The mission found that progress has been made in implementing the GCC Initiative and Implementation Mechanism in accordance with resolutions 2014 (2011) and 2051 (2012). It noted the successful completion of the first phase of Yemen's transition agreement, which culminated in the election of Vice-President Hadi as the new President of Yemen. It also took note of the progress made so far during the second phase of the transition, in particular with regard to military restructuring, efforts to regain control over territory lost to Al-Qaida in the Arabian Peninsula and other Islamic militants, and the completion of preparations for an all-inclusive National Dialogue Conference. This view was confirmed at the meeting with the Secretary-General of the Gulf Cooperation Council and the G10.

7. Taken together, these achievements have enabled the people of Yemen to step back from the brink of civil war. The mission recognized the commitment and strong efforts of President Hadi and the Government of National Unity, led by Prime Minister Basindwah, to keep the transition process on track.

8. However, despite progress, the mission also found that many challenges remain in the transition. The Government continues to maintain limited control over parts of its territory, especially in the north and the south. Al-Qaida and other militant armed groups remain an acute threat. Furthermore, the mission noted the limited capacity of the Government to deliver basic services and humanitarian assistance and to jump-start the economy.

9. The mission also learned that actions aimed at undermining the Government and the transition process continue, despite the demand by the Security Council in paragraph 6 of resolution 2051 (2012) for the cessation of all such acts and an expression of its readiness to consider further measures, including under Article 41 of the Charter of the United Nations, if such actions continue. The mission was informed that, while some attacks against the country's oil and gas infrastructure were purely criminal, there is evidence that some attacks are politically motivated. In addition, Council members were made aware that the Government's efforts to restructure the military and the implementation of the presidential decrees of 6 April 2012 concerning military and civilian appointments had been obstructed on several occasions.

10. The mission also learned with regret that the adoption of Yemen's transitional justice law remains pending owing to political deadlock.

Security situation and security sector reform

11. The mission found that the Government has made progress in improving the security situation in the country. However, it also got a clear sense that, overall, the security situation remains tenuous.

12. While the security situation in Sana'a, Taiz and other areas has improved, clashes between the Al-Houthi movement, Salafists and tribal groups associated with the Islah Party in the north, where six wars have broken out since 2004, continue. As a result, the Government has not been able to re-establish control in the north. The Al-Houthis have expanded their political influence beyond Sa'ada Governorate and established a strong presence in Sana'a and other parts of Yemen. In the south, elements of the Al-Hirak movement calling for independence are increasingly vocal, and the sentiment of "the street" is drawn to the extremes in the absence of central government benefits. Furthermore, Yemen remains one of the most heavily armed countries in the world, and new arms shipments are reportedly entering the country from various countries of origin.

13. With regard to the threat of Al-Qaida in the Arabian Peninsula and other militant armed groups in Yemen, the mission was informed that, under the leadership of President Hadi, the Yemeni armed forces have succeeded in dislodging Al-Qaida elements from cities and surrounding areas in Abyan and Shabwa Governorates, thereby regaining government control over most of those territories. However, it was also conveyed to the mission that the military offensive had led Al-Qaida and other militant armed groups to disperse throughout the country and infiltrate major cities. The increasing number of terrorist attacks, in addition to local tribal attacks, against the oil and gas infrastructure of Yemen, as well as against government and foreign targets in Sana'a and elsewhere, including numerous assassination attempts on government officials, politicians, military personnel and diplomats, is evidence of this development.

14. At its meeting with the Military Affairs Committee, which was established in December 2011, the mission stressed that the work of the Committee marks an important milestone in advancing the transition process. The Committee is headed by President Hadi and includes the Minister of the Interior, Major General 'Abdel-Qader Mohammad Qahtan, and the Minister of Defence, Major General Mohammad Nasser Ahmad, as well as 12 senior army and security officers. The mission was informed that, through the work of the Committee, armed confrontations between rival military units and militias in the capital, Sana'a, have been brought to an end and military units have been removed from the city. In many parts of the country, roads have been opened and illegal checkpoints and barricades have been removed. The mission was also informed that the military has cooperated in the preparations and conduct of the presidential elections held in February 2012 and that police forces have been deployed to protect State institutions.

15. The mission was further briefed about the efforts overseen by the Committee to restructure the divided Yemeni military under a unified command. It was told that, in the summer of 2012, this effort had met strong resistance by armed elements loyal to former President Saleh, when both the Ministries of the Interior and Defence had come under attacks by soldiers and security forces purportedly in anger

at the non-payment of their salaries and bonuses. The Government informed the mission that it considered these attacks as intended to undermine the restructuring of the security forces. In the same context, the mission was told that the Minister of Defence had escaped at least six assassination attempts in the past 12 months.

16. In a further step to advance military reform, the President issued a decree on 19 December 2012 restructuring Yemen's military forces into four major units — land, maritime, air and border forces — and bringing counter-terrorism units under the unified command of the Ministry of Defence. A previous decree issued in August 2012 integrated the First Armoured Division, previously under the command of General Ali Mohsen al-Ahmar, and the Republican Guard, previously under the command of General Ahmed Ali Abdullah Saleh, under the authority of seven regional commands and a new presidential protection force. The mission recognizes that, while this decree can be implemented only over time, its adoption represents an important step towards bringing a Yemeni military under unified command.

17. The mission also raised the concern of the Security Council expressed in resolution 2051 (2012) and in the report of the Secretary-General on children and armed conflict (S/2012/261) that children continue to be recruited and used by armed groups and certain elements of the security forces, and suggested that the issue of child protection should be included in the agenda of the National Dialogue Conference. The Government responded that Yemeni law prohibits the recruitment of any person under the age of 18 into the military and criminalizes any offence against this law. Child soldiers were primarily recruited by other militias, and the Ministry of Human Rights was addressing this issue.

Economic and humanitarian situation

18. The mission found that the humanitarian situation in the country remains precarious. The President and the Government emphasized that Yemen was in urgent need of international humanitarian assistance. The Government is still unable to provide basic services, including water and electricity, in many parts of the country. Sana'a and other cities require major investments in public infrastructure to meet basic needs for all citizens. In the north, the six wars since 2004 have left large-scale destruction. Similarly, the southern Abyan Governorate has been severely affected by fighting. While 80 per cent of the internally displaced persons in the south have returned to Abyan, in the north more than 300,000 remain, including more than 100,000 each in Sa'ada and Hajjah Governorates. In addition, the Government informed the mission that Yemen was hosting approximately 1.2 million Somali refugees and economic migrants and had very limited resources to address threats caused by piracy on its coastline.

19. The United Nations country team informed the mission that half of the Yemeni population of 24 million people do not have access to clean water and sanitation, 10 million people do not have sufficient access to food, and more than 6 million people lack access to basic health care, including life-saving reproductive health services for women and girls, as maternal mortality remains high. Of the 1 million children suffering from acute malnutrition, more than 150,000 may die if they do not receive immediate assistance. The 2013 Yemen humanitarian response plan targets one third of the Yemeni population through a range of emergency-focused activities. The funding requirements amount to $716 million, a 22 per cent increase from the 2012 response plan. The mission noted positively that, over the past months, the

Government has increased the number of registered non-governmental organizations in Yemen. As a result, the presence of the United Nations and non-governmental organizations has increased and humanitarian access has been improving in most parts of the country.

20. On the economic front, the Government's two-year development plan has to address many challenges. Yemen has 6 million young people between the ages of 15 and 28 who are looking for employment, and each year Yemen produces an additional 600,000 graduates seeking jobs. However, the Government is unable to provide for their needs. President Hadi therefore called upon the Friends of Yemen to transform over $7 billion in international pledges into concrete assistance. In a positive development, the World Bank noted that Yemen had increased its financial reserves from $3.7 billion during the 2011 crisis to $5.9 billion currently. The Yemeni currency has also been stabilized.

21. The United Nations country team remains concerned that in 2013 extreme poverty, volatile food and commodity prices and an increase in the cost of living might further reduce food security and access to basic services and livelihoods for millions of Yemenis. This situation might be further compounded by localized conflict and the limited capacity of the Government to provide basic social services.

Preparations for the National Dialogue Conference

22. The mission noted that significant progress has been made in preparing for an all-inclusive National Dialogue Conference. It stressed that the Security Council considers the National Dialogue Conference a key element in Yemen's political transition as it determines the process of constitution drafting. Its conclusions will feed into the formal drafting of a new constitution, which will be submitted to a popular referendum. It will also discuss important issues, such as women's rights, economic development and the southern question.

23. The Chairman of the Preparatory Committee, Abdul Karim el-Eryani, informed the mission that the Committee's final report, which defines the structure and organization of the Conference, was submitted to President Hadi on 12 December 2012. The mission noted positively that the Committee represents all major political constituencies in the country, including the General People's Congress, the Joint Meeting Parties, youth, women, civil society, Houthis, Al-Hirak and other political parties. The Committee is the first fully inclusive and representative governmental institution to be established in Yemen. The Conference will include 565 delegates from all of the country's major constituencies listed above, who will be divided into nine working groups. It has been agreed upon that the Conference will include at least 50 per cent southern, 30 per cent women and 20 per cent youth representatives. The Conference will take decisions by consensus, defined as a 90 per cent majority. One of the pending tasks remains the selection of delegates for youth, women, civil society and the southern Al-Hirak.

24. The mission was informed that in the south there were increasing separatist tendencies despite considerable international efforts to engage with the Al-Hirak movement. Unrest in Yemen's south has its roots in the marginalization and discrimination of southerners since unification in 1990 and their perceived lack of access to resources and opportunities. Long-standing grievances have left many in the south feeling excluded. Since 2007, southerners have mobilized to demand equal access to employment and government services, land reform and a degree of local

autonomy. This movement, known as the Al-Hirak, began as a rights-based movement demanding equality under the rule of law. Over the years resentments have deepened and radicalized some in the movement towards a maximalist agenda for a separate State. President Hadi has started to address the concerns of southerners through the issuance of Presidential Decree No. 2 on 8 January 2013, establishing two commissions to redress long-standing grievances concerning land and public employment.

25. The mission was informed that final political and logistical preparations, including the identification of a Chairperson and a venue for the Conference, are under way. On 21 January 2013, President Hadi established the general secretariat of the National Dialogue Conference through presidential decree. President Hadi is currently awaiting the list of names from each delegation for participation in the Dialogue. The mission noted with regret that the commencement of the National Dialogue had been delayed. The mission was told, however, that as soon as it begins (the recently announced date for it is 18 March 2013) it will be held for a six-month period and the constitution-drafting process could then begin three months into the National Dialogue process, in order to catch up with the agreed transition timetable.

26. The mission was briefed by the Special Adviser to the Secretary-General on the considerable efforts of the United Nations to support the preparations and conduct of the National Dialogue Conference, through a small special political mission and a Multi-donor trust fund (the Yemen National Dialogue and Constitutional Reform Trust Fund).

International support for the transition process

27. The President, the Government and many other interlocutors expressed strong appreciation for the roles of the Gulf Cooperation Council, the United Nations, the G10 ambassadors and the members of the Friends of Yemen in support of Yemen's transition, stressing that, without the help of the international community, Yemen would not be able to move the transition process forward. In this regard, the initiative of the Security Council to dispatch a mission to Yemen and the visit of the Secretary-General to Yemen on 19 November 2012 were strongly welcomed as a clear demonstration of the commitment of the United Nations to help Yemen succeed.

28. The mission noted the efforts of the Special Adviser to the Secretary-General and the United Nations country team to facilitate the coordination of international assistance to Yemen, working closely with the members of the Security Council, the Friends of Yemen, who will hold their next meeting in London on 7 March, and the members of the Gulf Cooperation Council and the European Union. The mission noted that, at meetings in Riyadh and New York in 2012, Yemen's partners have confirmed their commitment in over $7 billion in pledges to help Yemen with its economic recovery. The Government urged Council members to encourage donors to now transform their pledges into concrete assistance.

III. Observations

29. The signing of the GCC Initiative and Implementation Mechanism in November 2011 leading to a peaceful transfer of power in Yemen marks a critical milestone in the history of the country. More than one year on, significant progress

has been made in implementing the transition agreement against many odds and under a tight timetable. In many parts of the country, including in the capital, Sana'a, the security situation has improved, and serious efforts are under way to combat terrorism, restructure Yemen's military under a unified command, provide humanitarian assistance and jump-start the economy with international assistance. In addition, comprehensive preparations have been made for the convening of an all-inclusive National Dialogue Conference. Council members commend President Hadi, Prime Minister Basindwah, the Government of National Unity and the people of Yemen for these efforts aimed at promoting peace, stability, justice and prosperity for all Yemenis.

30. However, the members were also made aware first-hand that the transition process remains very fragile and that the most challenging milestones still lie ahead. In particular, the Security Council remains concerned that actions aimed at undermining the transition and the Government of National Unity continue, despite the Council's repeated demands under paragraph 6 of resolution 2051 (2012) for the cessation of such actions. While reiterating its call upon all those responsible to abide by this demand with immediate effect, the Council was of the view that further measures, including under Article 41 of the Charter of the United Nations, should be considered, taking into account information received during this mission.

31. The Security Council also remains concerned about the increasing number of attacks carried out or sponsored by those individuals and groups obstructing the transition, including Al-Qaida in the Arabian Peninsula and other armed groups, against the oil and gas infrastructure of Yemen, as well as against government and foreign targets in Sana'a and elsewhere, including numerous assassination attempts on government officials, politicians, military personnel and diplomats. It reiterates its determination to address this threat in accordance with the Charter of the United Nations and international law, including through the application of sanctions against Al-Qaida in the Arabian Peninsula, pursuant to resolution 2083 (2012). The Council noted that Al-Qaida in the Arabian Peninsula continued to pose a threat both inside Yemen and internationally.

32. Council members welcomed the opportunity for a direct interaction with the Military Affairs Committee to receive a first-hand account of efforts to restructure the Yemeni armed forces under a unified command, as exemplified by the presidential decree of 19 December 2012.

33. In this regard, the Security Council also welcomes President Hadi's statement of 27 November 2012 prohibiting the recruitment and use of children by the Yemeni security forces. Council members reiterated their concern that children continue to be recruited and used by the parties in Yemen. The Council recalls the commitments made by the Government to the Special Representative of the Secretary-General for Children and Armed Conflict in November 2012 and acknowledges the willingness of the Government to develop and implement an action plan to end the recruitment and use of child soldiers, in accordance with resolution 1612 (2005).

34. Council members remain concerned about the humanitarian situation. While the Council is encouraged by the fact that 80 per cent of internally displaced persons have been able to return to their homes in Abyan Governorate, Council members are concerned that millions of Yemenis in all parts of the country continue to suffer from severe food insecurity and a lack of sanitation and adequate health care, and that the capacity of the Government to provide basic services and humanitarian

relief remains limited. The Council recognizes the importance of President Hadi's call for international donors to provide full funding for the 2013 humanitarian response plan ($716 million). The Council recognizes the Government's primary responsibility to provide basic services and assistance to its people and is encouraged that an increasing number of non-governmental humanitarian organizations are given safe and unimpeded access to populations in need.

35. Council members welcome the Government's efforts to promote economic recovery and development and requests all donors to provide strong support for these efforts. The Council hopes that the continuous engagement of Yemen's international partners, together with the plans for a new intragovernmental coordinating body to support the implementation of over $7 billion in pledges made by the Friends of Yemen in Riyadh and New York in 2012, will help to channel funds effectively with a view to transforming pledges into concrete assistance as soon as possible. The Council is looking forward to the progress report in this regard at the upcoming Friends of Yemen meeting in London on 7 March 2013.

36. Council members emphasize the importance of conducting a fully inclusive, participatory, transparent and meaningful National Dialogue Conference, including with youth and women's groups. The Council therefore welcomes that many stakeholders in Yemen have participated actively and constructively in the preparatory process. However, the Council regrets that the convening of the Conference has been delayed. It therefore calls upon all Yemeni stakeholders to come together to finalize arrangements that would enable the commencement of the Conference on 18 March 2013 without any further delay.

37. Council members recognize the important roles played by the Gulf Cooperation Council, the United Nations, the G10 ambassadors, the Friends of Yemen and other international partners of Yemen to help keep the transition process on track. In this regard, the Council welcomes the direct interaction during the visit with the Secretary-General of the Gulf Cooperation Council, Abdullatif bin Rashid Al Zayani, the Special Adviser to the Secretary-General on Yemen, Jamal Benomar, the G10 ambassadors and the United Nations country team and encourages them to continue their respective roles in support of the transition.

38. The mission concluded that Yemen's transition has reached a critical stage. More than one year after the signing of Yemen's transition agreement, the people of Yemen have shown leadership, courage and determination in choosing the path of peace towards a more secure, stable, just and prosperous future. However, the process remains under direct threat from those seeking to achieve political goals through obstruction, violence and other illegitimate means. As a result, Council members are of the view that the threat of civil strife and conflict, and its potential consequences for international and regional peace and security, has not disappeared. In accordance with resolutions 2014 (2011) and 2051 (2012), the Security Council will therefore remain fully engaged, working closely with other international partners and taking appropriate measures to help Yemen's transition to succeed.

Annex I

Terms of reference for the Security Council mission to Yemen

The terms of reference are as follows:

(a) To reaffirm the continued support of the Security Council for the ongoing political transition process in Yemen, in accordance with the Gulf Cooperation Council Implementation Mechanism and leading towards elections in February 2014, and for the important roles of President Hadi, the Government of National Unity and the people of Yemen within that process;

(b) To assess the implementation of relevant Security Council resolutions, in particular resolution 2051 (2012), and review the progress that the Government of Yemen has made towards launching the National Dialogue Conference, restructuring the security and armed forces under a unified professional national leadership structure, ending all armed conflicts and addressing the economic, as well as humanitarian, situation;

(c) To consider the security situation in Yemen, including the ongoing work of the Government of Yemen to combat Al-Qaida in the Arabian Peninsula and to carry out security sector reforms;

(d) To meet, discuss and evaluate the transition with a cross section of Yemeni parties and international partners in Sana'a, including, if possible, the Gulf Cooperation Council, and Yemeni actors, including civil society representatives;

(e) To assess progress made towards activating pledges made in Riyadh on 4 September 2012 and at the Friends of Yemen Ministerial Meeting in New York on 27 September 2012;

(f) To reiterate the importance of immediate donor coordination and funding in order to alleviate the critical humanitarian situation in Yemen;

(g) To recognize the many challenges still facing Yemen in the transition process and highlight the Security Council's continued concern about those hindering or interfering in the transition, noting that resolution 2051 (2012) allows for the imposition of sanctions on spoilers;

(h) To express strong support for the role of the international community in implementing the Gulf Cooperation Council Initiative, including the five permanent members of the Security Council, the Gulf Cooperation Council, the representative of the European Union, and the Secretary-General's Special Adviser and his good offices in Yemen.

Annex II

Programme of work of the Security Council mission to Yemen

27 January 2013

9.30-9.50 a.m.	Briefing by the Special Adviser to the Secretary-General on Yemen, Jamal Benomar
10-11 a.m.	Meeting with the President of Yemen, Abd Rabbo Mansour Hadi
11.10-11.30 a.m.	Meeting with the Military Affairs Committee
11.40 a.m.-12.20 p.m.	Meeting with the Prime Minister of Yemen, Mohammed Basindwah, and the members of the Government of National Unity
12.30-1.30 p.m.	Ceremony
1.35-2.35 p.m.	Lunch
2.45-3.15 p.m.	Meeting with the Secretary-General of the Gulf Cooperation Council, Abdullatif bin Rashid Al Zayani, together with ambassadors of the G10 countries
3.20-4.20 p.m.	Meeting with the Preparatory Committee of the National Dialogue Conference
4.30-5 p.m.	Meeting with the United Nations Resident Coordinator in Yemen, Ismail Ould Cheikh Ahmed, members of the United Nations country team and non-governmental organizations
4.30-5 p.m.	Press conference